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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/813,247 03/07/97 AIDA

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EXAMINER

TM02/0919

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HONG, S

ART UNIT

PAPER NUMBER

2176

AIR MAIL

DATE MAILED:

09/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

08/813,247

Applicant(s)

Alda

Examiner

Stephen Hong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 12, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 63-83 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 63-83 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

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### **Part III DETAILED ACTION**

1. This action is responsive to communications: amendment filed on 6/12/2001 to the application, filed on 3/7/97, which is a continuation of 08/330,573, filed on 10/28/94.
2. In the amendment claims 39-62 are canceled, and claims 63-83 are added. Accordingly, claims 63-83 are pending in this case. Claims 63, 73 and 83 are independent claims.

#### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119, which papers have been placed of record in the file.

#### ***Drawings***

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

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*Specification*

5. Examiner requests that Applicant review the application carefully for informalities including typographical errors and awkward languages that may resulted from translation.

*Claim Rejections - 35 USC § 112*

6. Claims 63-83 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per independent claims 39 and 50, the claimed term “without a further special key depression” is indefinite, since it is unclear exactly what constitutes “a special key”.

Claims that are noted above as being rejected but not specifically cited below are rejected based on their dependency on rejected independent claims.

7. Claim 83 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

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***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 63-68, 72, 73-78, 82 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Dell, U.S. Pat. No. 5,109,352, 4/92.

As per Claims 63-68, 72(dependent on claim 63), 73-78, 82(dependent on claim 73), O'Dell discloses the claimed invention of:

entering and storing a plurality of lines of text and original words in a dictionary and replacing the entered lines of text with the unique line of text or the original word without using a special function key; identifying a plurality of lines of text with the same step, and determining the word; random access storing the plural lines of text and the unique line of text. Referring to O'Dell, O'Dell teaches a word processor to enter a plurality of lines of text (FIG.10). O'Dell stores the plurality of characters in a Chinese or Japanese (or European) character dictionary, and allows the user to enter the strokes (item 50 in FIG.10) . FIG.5 shows the plurality of lines of words with the same initial stems, giving the user the visual feedback of the strokes entered for the character input.

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***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103<sup>®</sup> and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 69-72 and 79-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Dell in view of Shimizu et al., U.S. Pat. No. 5,870,492, 2/99 (filed 6/92).

Claims 69-71, 72(dependent on claim 69) and 79-81, 82(dependent on claim 79) recite substantially similar limitations as claims 63-68, 72, 73-78, 82 and are similarly rejected.

However, O'Dell does not explicitly teach the use of handwritten input. O'Dell uses the keyboard to represent the strokes for the characters (FIG.1E). Nevertheless, the use of hand writing input (e.g., using a stylus, tablet, pen) was extremely well known in the computer art at the time of the invention. With respect to the missing limitation, Shimizu teaches the following pertinent features. Like O'Dell, Shimizu teaches inputting the Chinese or Japanese characters for text processing. Shimizu explicitly points out that in inputting the Japanese characters, it is difficult to input by hand and write the characters that are similar in shapes

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(col.1, lines 20-30). Shimizu then teaches the solution where the candidate characters are displayed as the user inputs the strokes by hand writing (col.2, lines 1-15). Furthermore, Shimizu allows the user to select the desired character without having to use the “special character (col.2, lines 15-25). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have envisage using O’Dell’s system to take handwritten inputs of Shimizu, in order to accommodate the widely used pen-based computing systems to effectively enter the foreign language characters with similar shapes.

### *Response to Arguments*

12. Applicant's arguments filed June 12, 2001 have been fully considered but they are not persuasive.

On pages 1-4, Applicant argues that the present application is more advantageous over the prior art of O’Dell, since some of the characters in O’Dell’s “Japanese kanji characters do not have a chance to appear on the display according to the method in the patent 5109352, unless the operator forces to continue to input after having some characters on the display...” Applicant then gives examples of the situations. In response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., the example on pages 2-3) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

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USPQ2d 1057 (Fed. Cir. 1993). The prior art of O'Dell (USPAT 5,109,352) at least teaches the embodiment where the characters are displayed as the user inputs them. Therefore, the prior art sufficiently anticipates the invention, at least as claimed.

On pages 9-10, Applicant points out that O'Dell does not use the "handwritten" input method for entering the text. In response, the present Office Action incorporates the prior art of Shimizu et al, which teaches the combination of handwritten input and the character "candidate" selection features. Accordingly, the arguments are moot in view of the new ground of rejection.

### *Conclusion*

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-PAT-NO: 5828783

DOCUMENT-IDENTIFIER: US 5828783 A

TITLE: Apparatus and method for input-processing hand-written data

DATE-ISSUED: October 27, 1998

US-CL-CURRENT: 382/186; 382/190

US-PAT-NO: 5592565

DOCUMENT-IDENTIFIER: US 5592565 A

TITLE: Hand-written character recognition apparatus with a personal dictionary preparation function



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DATE-ISSUED: January 7, 1997

US-CL-CURRENT: 382/185; 382/188

US-PAT-NO: 5113452

DOCUMENT-IDENTIFIER: US 5113452 A

TITLE: Hand-written character recognition apparatus and method

DATE-ISSUED: May 12, 1992

US-CL-CURRENT: 382/187; 382/177

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Hong whose telephone number is (703) 308-5465. The examiner can normally be reached on Monday-Friday from 8:00 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 305-9724 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



Stephen Hong

Primary Examiner

September 10, 2001